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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
YOUNGSTOWN

In The United States District Court,
Northern District Court of Ohio
Eastern Division

Keith R. Cooper,
Petitioner.

Case No. 5:24-CV-
-00025-BYP.

Hon. Judge, Benita V. Pearson.

Vs.

Hon. Magistrate Judge,
Warden, Kenneth Black,
Respondent.

Darrell H. Clay

Traverse To Return Of Writ.

Keith R. Cooper, A 774-191
Richland Correctional Inst.
P.O. Box 8107
Mansfield, Ohio,
44905

Warden, Kenneth Black
Richland Correctional Inst.
P.O. Box 8107
Mansfield, Ohio, 44905
< And >

Ohio Attorney Gen., Terri L.
Fusnaught, H.K.G.; 30 E. Broad St.
2371., Columbus, Ohio, 43215

Petitioner - Pro-Se:

Respondents:

Content : (Traverse To Return of Writ)

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Statement Of Facts:

The Portage County Common Plea Court, And Eleventh Appellate District, Set forth A "Fore-known" Collaboration Of Erroneous Acts And/or Actions; And There Abuse Of Discretion, Thereof There Judgments, With intent to Deprive Defendant - Appellant, Keith R. Cooper of "Relief".

There "Factual Findings" Where "Not Factual Findings"; Nor Where They (Binding); but yet "Appealable" And Without Prejudice to proceed with further Exhaustion Of State - An - Federal Remedies.

These Above Listed Party's, "Shall Not Be Presumed - to be Correct", and the burden of rebutting by Clear and Convincing Evidence, Still Remains, to be Seen and/or Produced An Presented, even Within This Oppositions "Respondent's Answer / Return Of Writ".

- Judicial And Jurisdictional Violational, And Multiple Municipal Jurisdiction's Did Occur.
[See Pages (1) Through (14); Statement Of Facts.]

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This Petitioner, Keith F. Cooper, Pro-Se, does (Not) intend to Waive any defense, even though this Oppositions "Respondent's Answer / Return Of Writ", is Contemptuous, An Utterly Appalling, Deflecting An Defrauding, And Absolutely Lacking Any Meritorious Material.

This, Assistant Attorney General Counselor, Terri L. Fosnaught (0072218), An his Client Communication and/or Lack Thereof; Shall Not Be An Excuse, pursuant to the ignorance of the [Laws], And the failure to report Corrupt Activity And Patterns Of, pursuant to Wrought Circumventing of the "United States Constitution" And Amendments, An the "Universal Declaration Of Human Rights"; An the Ohio Revised Code's, > Namely, O.R.C. B. 3.1 of the Canon(3); thereof What a Judge Shall Not Do And/or Commit; To Wit all of which was Wrongfully Committed.

This Counsel, of the opposition should have Strongly Considered Filing An "Anders Brief", in place of jeopardizing it's integrity by filing a "Respondent's Return Of Writ - Answer", of which was Based On Frivolous arguments and defense tactic.

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An "Anders brief", is a (1969) Criminal Procedure; a brief filed by a Court appointed defense Attorney, who wants to withdraw from the Case on Appeal based on a belief that the Appeal is - Frivolous.

This Common Pleas Court And Judge, of Portage County, has been charged with Serious Government And State Of Ohio Offenses, Thereof Official Misconduct Within Her/This Judges, Official Capacity And Power And Authority, While Under Oath As A Presiding Judge, Over This Petitioner's Criminal Case No. - 2019-CR-0672; of which consist of;

A) Arrest Warrant; B) Accepted Charges/Indictments Alleged; C) Arraignment; D) Speedy Trial Hearings; E) Re-Trials; F) Trial; G) Sentencing; - "inter alia".

All of which was Under This Presiding Judge, Becky L. Doherty; of whom was under arrest her self, thus, pending hearing's while she was under Restrictions; Prohibitions As A Pre-siding Judge, Indicted For Criminal Offense.

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This Judge, Fraudulently Presided Over This Petitioner's Case Knowingly, And Illegally, Without Judicial-Powers And Without Jurisdictional-Powers.

With this Factual-Discovery; the following became in [favor], Therefore This Petitioner's State Exhausted Remedies - And - More-Over his 28-USC-2254 Habeas Corpus; pursuant to;

A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;

B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such State action;

C) the date on which the Constitution right asserted was initially recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or

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D.) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

Herein, all of which (A.) (B.) (C.) and (D.), Does Encompass, and are in favor of the and/or this Petitioner's 28-USC-2254 to be accepted forth-with as an "Extraordinary" Case Under Extraordinary Circumstances, Thus, Pursuant To A Common Pleas Court Judge, Becky L. Doherty of Whom Committed, "found Upon The Court, An Serious Abuse of Discretion"; Thereby Presiding As A Judge While She Was, Under Arrest; Negotiate Bail/Bond; Negotiating A Plea-Deal For Her Self; Still Suspected Of having An Illegal Substance Addiction;

And more-over "Prohibited", from being a Presiding Judge during this Criminal proceeding; of which was just less then (14-days), When Judge, Becky L. Doherty Presided Over This Petitioner's Case's, With The Pretence Of Judicial Authority And The Pretence Of Jurisdictional Power And Authority.

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This Defendant - Appellant - Petitioner,
Keith R. Cooper, Not Only Qualifies
For The Existence Of "Tolling";

but he further Qualifies for his, Conviction's
and Counts thereof to be Vacated, And for
These Cases And Sentencing To Be, Void And/or
Voidable; Annul; Nullified; > < Fraud in the
Factum Voids a Contract; "Hence", Fraudulent
Conviction's, Under Fraudulent Conditions.

At this Very "Moment", this Petitioner, Keith R.
Cooper is Imprisoned - Incarcerated,
Wrongful, And Under False And Fraudulent
Pretences; "He Should Be Released forth-With".

This Petitioner Prays That "Poetic-Justice", Thus
BeFallen Upon This Judge, And His Accusers,
And The Prosecution, For There Voluntary Role's
Play-ed, pursuant to his Wrongful-Convictions.

Judge, Becky L. Doherty, illegal acts and/or actions,
to Circumvent The United States Constitution, Can
be Compared to the Acts And/or Actions Thereof Former
President D.J. T. • [No One is Above The Law Nor
The United States Constitutional, Statutes].

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This Petitioner's Grounds One-Through-Twelve, And Supplemental Evidence, Are Beyond Merit Worthy, Pursuant to, Case No. 5:24-CV-00025.

This Petitioner's Grounds And/or Claim's prior Where all Pursuant To The United States Constitution; "Not The Ohio Constitution".

This Opposition's Attorney Try's to imply that this Petitioner Used [Ohio Constitution], and Misquoted it; When in fact this Petitioner Did-Not refer to the "Ohio Constitution", Due To The fact That It Favors, Ohio Prosecutor's Points Of View, pursuant to Convictions Sololy Based On Theory-ies, And Not Factual Evidence, and or Proper Statute's; Thus making it easy for the prosecution to Use "Ambiguity - latent And Patent" as a, [Tool], for There Defence.

The "Ohio Constitution", Can and has demonstrated Partiality Therefore it's Common Pleas Courts An Prosecution; To wit, "The United State Constitution", demonstrates Impartiality View Points And/or Corrective-ness Of Justice Over All; [And Over All Individual State Constitutions].

Continued:

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Statement Of Facts:

During the late hours on this, 10th Day, Of February, 2019;

Becky L. Doherty, was Observed driving a Vehicle Wrongfully; She was caught on [Police Car Dash-Cam's], Weaving On the road and across the Double-Yellow Street Line's; Becky L. Doherty proceeded to "Stop and Go" repeatedly and randomly while driving Recklessly and Completely impaired.

Becky L. Doherty's, driving abilities were impair-ed to the point of her being Utterly Negligent, and Explicitly Irresponsible, When She decided to get behind the driver's wheel of her Vehicle and/or a Vehicle.

On this evening of the 10th Day, of February, 2019, Becky L. Doherty, placed the lives of Other driver's and people and there Children, of Whom Where in the On-Coming Traffic and of Whom needed to go around her, at a Serious Risk, pursuant to there loss of life, and to include her own possible loss of life.

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Once Becky L. Doherty, was finally pulled-
-Over safely by these Police Officer's;

She instantly was Verbally, Combative;
Defiant; Disobedient; Disorderly; and
Profoundly and Explicitly Beligerent; all
of which was to a "High-Degree", and to
the point thereof resistance and "Resisting-
-Arrest".

And More-Over it was during all of the above
Wrongful Acts and/or Actions, that Becky L. Doherty,
thus, Pro-Claimed Her "Noble-ness"; and Her
"Throne"; as a Portage County Common Pleas
Court Judge, thereof this State of Ohio.

And After Her "Grandiose - Grandiosity",
With and Toward These [Male], Law Enforcement
Police Officer's; Judge, Becky L. Doherty,
Proceeded To Demand and Command, "What
They Must Not Do"; and "What They Must
Do"; While She was Within The Custody of
these [Men-Male] Police Officer's, Therefore
and Because She Had Violated The "Law", and
Committed Criminal Offenses.

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Judge, Becky L. Doherty, was Utterly Persistent With Her Demands, and Her Mis-Use Of Her Power And/or Authority-ies As A Judge, and Serious Demonstration Of Her Abuse Of Discretion, thereof this Cause And Matter's Red Issue's, Surrounding Her, "Driving Under The Influence"; as this is referred to as a D.U.I., Offense.

When this Judge, Demand-ed That Her "Friend the Sherrif"; And/or "Her Friend the Judge" And/or "Her Friend the Prosecutor" Be Called By The Police Officer's, was Denied; Judge Becky L. Doherty, Demonstrated The Following;

Hatred Against And Toward "Men (And) Male Law Enforcement Police Officer's"; She further Displayed Her "Odium", and Her Acrimonies Against Them As Well; to the point that these Men And/or Male, Law Enforcement Police Officer's, Had To Tell, Judge Becky L. Doherty, "That They Did Not Care About Her "Negative-Opinions" about them as [Male] Law Enforcement Police Officers, While Within There Rights To Uphold The Laws Against Her."

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On this 15th Day of February, 2019,
This Honorable Judge, Becky L. Doherty,
Was Arraigned-ed.

Her D.U.I. Was reduced to a O.V.I.,
indictment's and/or Charge's.

On this 15th Day of February, 2019 Her Bail
Was Set to the Lowest-low thereof her
own "Recognizance".

On this 14th Day of March, 2019, The Judge,
Becky L. Doherty Was Convicted and Sentenced;
in accordance with Plea-Bargain Conditions
and Agreements, Thus, Created and Submitted to
Agreed-upon By This Portage County Prosecutor,
"Her friend".

Judge, Becky L. Doherty, Plead-Guilty, to a reduced
Charge of O.V.I.; in place of the initial D.U.I.;

and She was then Sentenced To, 180-Days, of
imprisonment and/or jail, Within there Portage-
County Jail. Her Driver's license was to be
Suspended for One-year. And a additional (3) Days in jail
in place of a Driver-Intervention Course.

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Judge, Becky L. Doherty, was "Prohibit-ed,"⁶⁶
from Presiding As A Common Pleas Court Judge,
as of the date of her arrest, thereof
the 10th Day of February, 2019.

She was Prohibit-ed, from Presiding As A Common
Pleas Court Judge, also - on the date of her
arraignment, thereof the 15th Day of
February, 2019.

~ She was Prohibit-ed, from Presiding As A Common
Pleas Court Judge, from February 10th, 2019
Through 180-Days and Probationary Time
And/or Period thereof And To September, 14th,
2019.

Herewithin This Newly Discovered Evidence,
Of Which Thus, Began's With Page (1) of
Statement Of Facts; And Now Proceeding
With Page (6) Statement Of Facts;

Will Thus, Demonstrate Illegal And Unethical,
Procedural And Policy-ies Circumventing, To wit
Was factually Committed By Judge, Becky L.
Doherty, And Against, A [Man and/or Male],
Government Law Enforcement Parole Officer.

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On this 19th Day of July, 2019, this [Male], Government Law Enforcement, Parole Officer And State Of Ohio Peace Officer, Keith F. Cooper, was arrested, and indicted thereby this Portage County Prosecutor, and Common Pleas Court.

This Cause And This Matter And Case, Came Before, Judge, Becky L. Doherty, on the above listed date.

On this 22nd, Day of July, 2019, this [Male] Law Enforcement Government Officer, was Arraigned, Before And Under Presiding Judge, Becky L. Doherty.

- On this 29th Day of September 2020, Through October 6th, 2020, Judge, Becky L. Doherty Was the Presiding Judge, [Through-out Pre-trials From July 19th 2019 Through September 14th, 2019];

* Of Which rolled over into and through, September 15th 2019 to September 29th, 2020 When, Keith F. Cooper's Trial Had began.

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On This 6th Day of October, 2020,
Judge, Becky L. Doherty, was the Sentencing
Judge, Thus, Presiding Over A [Man And/or Male]
Law Enforcement Government Officer,
Named, Keith R. Cooper.

Through-out Keith R. Cooper's "Plight's",
Pursuant To His Indictments And His
Pleadings Of Being Innocent; He Was
Completely Unaware That He Was Under
A Presiding Judge, Of Whom "Hated",
[Men] And Male Law Enforcement; And the
Fact That He Just So Happen To Be
The First Case; To Wit A Law Enforcement
"Man", was under indictment; And Under
Her Power And Authority To, Thus; "Retaliate"
Against;

Soon after her Arrest, Indictment's,
Conviction's and Sentencing, This Judge,
Becky L. Doherty Circumvented Her Probation
And Sentencing Conditions; and proceeded to
Preside As A Common Pleas Court Judge,
thereof Keith R. Cooper's Case; To Wit She
Had Not The Judicial Powers And/or Authority-ies
To Do So; As She Did So Illegally.